

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

THOMAS SIMONE	:	CIVIL ACTION
Petitioner	:	
	:	
vs.	:	
	:	
WARDEN, SCI GREENE, et al.	:	NO. 08-5243
Respondents	:	

ORDER

AND NOW, this 14th day of April, 2009, upon careful and independent consideration of the petition for a writ of habeas corpus, and after review of the Report and Recommendation of United States Magistrate Judge Timothy R. Rice, and the objections thereto filed by Petitioner, it is hereby **ORDERED** that:

1. Petitioner's objections to the Report and Recommendation are **DENIED**.
2. The Report and Recommendation is **APPROVED** and **ADOPTED**.
3. The petition for a writ of habeas corpus is **DENIED** with prejudice.
4. There is no probable cause to issue a certificate of appealability.
5. The Clerk of Court shall mark this case closed for statistical purposes.

BY THE COURT:

/s/ Robert F. Kelly
ROBERT F. KELLY, Sr. J.